FILE

FEDERAL COMMUNICATIONS COMMISSION Washington, D. C. 20554 DEC 1 6 2003

OFFICE OF MANAGING DIRECTOR

Candace Soeder Staff Accountant Advanced Cable Communications 12409 NW 35th Street Coral Springs, FL 33065

> Re: FY 2002 Regulatory Fee Fee Control No. 00000RROG-04-007

Dear Ms. Soeder:

This is in response to your request dated September 22, 2003 filed on behalf of Advanced Cable Communications (Advanced Cable) for waiver of late penalties associated with the fiscal year (FY) 2002 regulatory fees. Our records reflect that Advanced Cable's \$24,510.38 regulatory fee was received by the Mellon Bank for the Commission in August, 2003, but that we have not yet received the late payment penalty of \$6,127.60.

In support of your request, you explain that Advanced Cable's regulatory fees were not processed in a timely manner due to its controller suffering a massive stroke. You state that this has caused an extreme operational deficiency, that Advanced Cable is a small operation and therefore it has been difficult to cover the controller's responsibilities in a timely fashion.

While we are sympathetic to Advanced Cable's difficult personal circumstances, the Communications Act of 1934, as amended, requires the Commission to assess a late payment penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that Advanced Cable did not meet its obligation to file its regulatory fee to be timely received by the Commission by September 25, 2002, the last date for payment of FY 2002 fees. We therefore deny your request for rescission of the penalty for late payment of the fiscal year 2002 regulatory fee.

A late payment penalty in the amount of \$6,127.60 for FY 2002 is now due. The fee must be filed, together with a Form 159 (copy enclosed), within 30 days from the date of this letter. If you have any questions concerning this matter please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely.

Mark A. Reger

Chief Financial Officer

00000 RROU-04-007



Connecting Coral Springs & Weston

RECEIVED & INSPECTED

OCT 2 2003

FCC-MAILROOM

September 22, 2003

Mr. Tom Putnam
Federal Communication Commission
Revenue Receivable Operations Group
445 12th Street S.W.
Washington, D.C. 20555

Re: Advanced Cable Communications 2002 Regulatory Fees FRN #0001-7957-98

Dear Mr. Putnam:

After speaking with Mrs. Beatrice Penny with the Federal Communication Commission in regards to the penalty for the 2002 regulatory fees, this letter is requesting waiver of the 25% late fee penalty for the 2002 regulatory fees.

Due to the massive stroke suffered by our Controller, Mark Couture, the processing of the regulatory fees was not completed in a timely manner. Mark's unfortunate unplanned and devastating health trauma has caused us an extreme operational deficiency. We are a small organization therefore it has been extremely difficult to cover all requirements of his previous responsibilities in a timely fashion.

Advanced Cable Communication strives on accuracy and meeting filing deadlines. We would appreciate your consideration under these circumstances that you could waive the penalties for the late filing.

In regards to the 2003 regulatory fees, the remittance advice along with the check in the \checkmark amount of \$29,338.98 has already been mailed.

If you need to contact me, please give me a call at 954-752-7244 ext. 243.

Sincerely,

Candice Soeder Staff Accountant

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read instructions carefully before proceeding

FEDERAL COMMUNICATIONS CONDUSSION REMITTANCE ADVICE

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Payment Transactions Detail Report

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12409 NW 35TH STREET

CORAL SPRINGS

FL 33065

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